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Secretary
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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9 AUG 1993

IN REPLY REFER TO:
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Honorable Al McCandless
House of Representatives
2422 Rayburn House Office Building
Washington, DC 20515

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AUG 18 1993

Dear Congressman McCandless:

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Thank you for your letter on behalf of W. Lyle Childers, President, Sierra Dawn Estates Homeowners' Association, Inc., Hemet, California. Your constituent urges that nonprofit homeowner cable systems be placed in the same regulatory category as small systems with 1000 or fewer subscribers.

Your constituent's comments will be placed in the record of our proceeding in ~~the record of our proceeding~~, discussed in the enclosures.

Sincerely,

Roy J. Stewart
Roy J. Stewart
Chief, Mass Media Bureau

Enclosures

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HOUSE OF REPRESENTATIVES, U.S.
WASHINGTON, D.C.

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OFFICE OF CONGRESSIONAL AFFAIRS
1919 M ST. N.W.
WASHINGTON, D.C. 20554

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The attached communication is submitted for your consideration, and to ask that the request made therein be complied with, if possible.

If you will advise me of your action in this matter and have the letter returned to me with your reply, I will appreciate it.

REP. ALFRED A. MCCANDLESS
2422 RHOB
WASHINGTON, D.C. 20515

Very Truly yours,

Alfred A. McCandless

.....
M.C.

661
..... *TH-19* District.

Sierra Dawn Estates Homeowners' Association, Inc.

A Senior Citizen Residency

950 South Lyon Avenue

Hemet, California 92543

Telephone (714) 925-6502

June 28, 1993

JUL 15 1993

m)R

Representative Alfred A. McCandless
Room 2422
Rayburn House Office Building
Washington, D.C. 20515-0544

Dear Representative McCandless:

Attached herewith is a copy of a letter to FCC Chairman James Quello concerning a matter of concern to us and of considerable importance to nonprofit, homeowner operated cable TV systems in general.

We would appreciate your support leading to Congressional approval of the position discussed in the letter to Chairman Quello.

Sincerely,

W. Lyle Childers

W. Lyle Childers
President

WLC:cb

cc: Hank Martin, Program Chairperson
Dr. Freeman Tatum, Consultant

Sierra Dawn Estates Homeowners' Association, Inc.

A Senior Citizen Residency

950 South Lyon Avenue

Hemet, California 92543

Telephone (714) 925-6502

June 28, 1993

Chairman James Quello
The Federal Communications Commission
1919 M Street NW
Washington, D.C. 20554

Dear Chairman Quello:

It is noted that you have been quoted as favoring the exemption of cable systems with 1000 or fewer subscribers from the 1992 Cable Act. This, at least partly, because of the undue hardship and restraints placed by the Act upon small systems.

I would like to call your attention to another group of cable operators upon whom the Act, and some provisions of current FCC Regulations, have an even more serious impact than those described by size alone. These are the non-profit, primarily homeowner-operated systems often found in this area in mobile home parks or subdivisions. Some of these may have more than 1000 members, as in Sierra Dawn Estates, but because of the limited funding and nonprofit operation, may be harder hit than even smaller, for-profit operations.

For example, the Sierra Dawn Estates cable TV system is operated by the Sierra Dawn Estates Homeowners' Association which is a self-interest, nonprofit corporation. It is a Senior Citizen Residency in a Planned Development Community consisting of 1474 individually owned lots. The common property consists of four clubhouses and a cable TV system.

The TV signal is only furnished to residents residing in the Planned Development Community. The only reason that Sierra Dawn is classified as a CATV system, under FCC Regulations, is that the TV cable runs under a few City streets.

For those who have the income and desire additional channels, Inland Valley Cablevision has cable located throughout Sierra Dawn Estates.

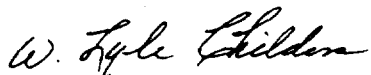
Because this is a senior community, as are many of the mobile home developments in this area, and the income of many of the residents is severely limited, it is imperative to keep this fee as small as possible. In this regard, no significant investment in the cable TV system is made without a majority vote of the residents.

In addition to the Cable Act of 1992, there are several instances in which systems with 1000 or fewer subscribers are exempt from or come under less restrictive FCC Regulations as contained in the Code of Federal Regulations, Title 47, parts 70 to 79, October 1992.

Therefore, I feel that it would be appropriate to group nonprofit, homeowner systems, even through larger than 1000 subscribers, into the same regulations category as those systems with 1000 or fewer subscribers.

I would greatly appreciate your support by incorporating these viewpoints regarding nonprofit cable systems in your recommendations to Congress.

Sincerely,



W. Lyle Childers
President

FT:cb

cc: Senator Barbara Boxer
Senator Diane Feinstein
Representative Alfred A. McCandless